

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT

**PERMIT TO OPERATE A SEPTAGE LAND
APPLICATION SITE**

Brinson & Miller, Inc.
Eddie Brinson
1731 N Road Street
Elizabeth City NC 27909

is hereby issued a permit to operate Septage Land Application Site with permit # **SLAS-70-01** on SR 1351 in Pasquotank County at approximate position 36.36018° N latitude and -76.25083° W longitude. The site is to be operated in accordance with 15A NCAC 13B .0800 Septage Management, the information stated in the approved application, and the conditions of this permit. The unauthorized disposal of any liquid or solid wastes other than those specified in the conditions of this permit will be considered a violation of the conditions of this permit. Failure to comply with the conditions of this permit may result in permit suspension, permit revocation, action for injunctive relief, administrative penalties, or other remedies as provided in G.S. 130A, Article 1., Part 2.

This permit shall be reviewed annually to determine if soil test results and management activities are in compliance with the Septage Management Rules and the conditions of this permit. Modifications, where necessary, shall be made in accordance with rules in effect at the time of review.

Date Issued

4/26/2012

Martin A. Gallagher

Martin A. Gallagher, Branch Head
Solid Waste Section

Operator: Eddie Brinson
SLAS #: 70-01
County: Pasquotank

Page 3 of 3

9. Only the area designated on the attached site map(s) shall be utilized for septage disposal. Each load of septage discharged at the site shall be distributed from a moving vehicle in such a manner that there is no standing water when the discharge is complete.
10. Septage shall not be applied during any precipitation event, or if there is standing water on the soil surface, if the soil surface is frozen, or if the soil surface is snow covered. The Permittee shall consider pending weather conditions when making the decision to land apply in order to prevent any discharge of septage outside of the permitted boundary.
11. Septage shall not be applied during periods of high soil moisture. Septage applications that will result in ruts greater than three inches in the soil surface are prohibited.
12. Any discharge of septage outside of the permitted boundaries via runoff, aerial drift, etc. is prohibited.
13. This permit shall become void unless the land application activities are carried out in accordance with the conditions of this permit and in the manner approved by this Division. No one other than the Permittee or an employee of the firm named in this permit shall discharge septage at this site without prior appropriate notification and written approval from the Division.
14. Prior to any transfer of this land, a notice shall be given to the new owner that gives full details of the materials applied or incorporated at this site. The Division shall be notified prior to site closure. This permit is non-transferable.
15. **This permit shall expire on April 23, 2017.** Modifications, when necessary, shall be made in accordance with the rules in effect at the time of renewal. An application for permit renewal shall be submitted at least ninety (90) days prior to the permit renewal date. A septage application log for the period of time this permit was valid shall be submitted along with an application for permit renewal or modification. The information required in the log is described in Rule 15A NCAC 13B .0838 (e) (1) of the NC Septage Management Rules and the Code of Federal Regulations, 40 CFR Part 503.17 (b).
16. Records shall be kept in accordance with 40 CFR 503.17(b). These records shall be made available to a representative of the Division upon request.
17. Any duly authorized officer, employee, or representative of the Division may, upon presentation of credentials, enter and inspect any property, premises, or place on or related to the disposal site and facility at any reasonable time for the purpose of determining compliance with this permit; may inspect or copy any records that must be kept under the conditions of this permit; or may obtain samples of groundwater, surface water, or leachate.
18. Field separations in the nutrient management plan and all pertinent setbacks shall be clearly located on the site. Boundaries of the permitted septage land application fields shall be clearly marked on the ground.
19. The areas that can be used for land application of septage shall be maintained at least 500 feet from any existing wells, residences, places of business, or places of public assembly. Septage shall not be disposed of within 50 feet of any property line or within 100 feet of any ditch.
20. **Fields B and C are considered inactive until further notice. The fields must meet the requirements of the NC Septage Management Rules prior to use. The management of the field or fields to be added must be included in the nutrient management plan. The Division must inspect the fields and grant approval prior to any septage applications. Please notify the Division at least two (2) weeks prior to when you wish to reopen a field or fields.**

Operator: Eddie Brinson
SLAS #: 70-01
County: Pasquotank

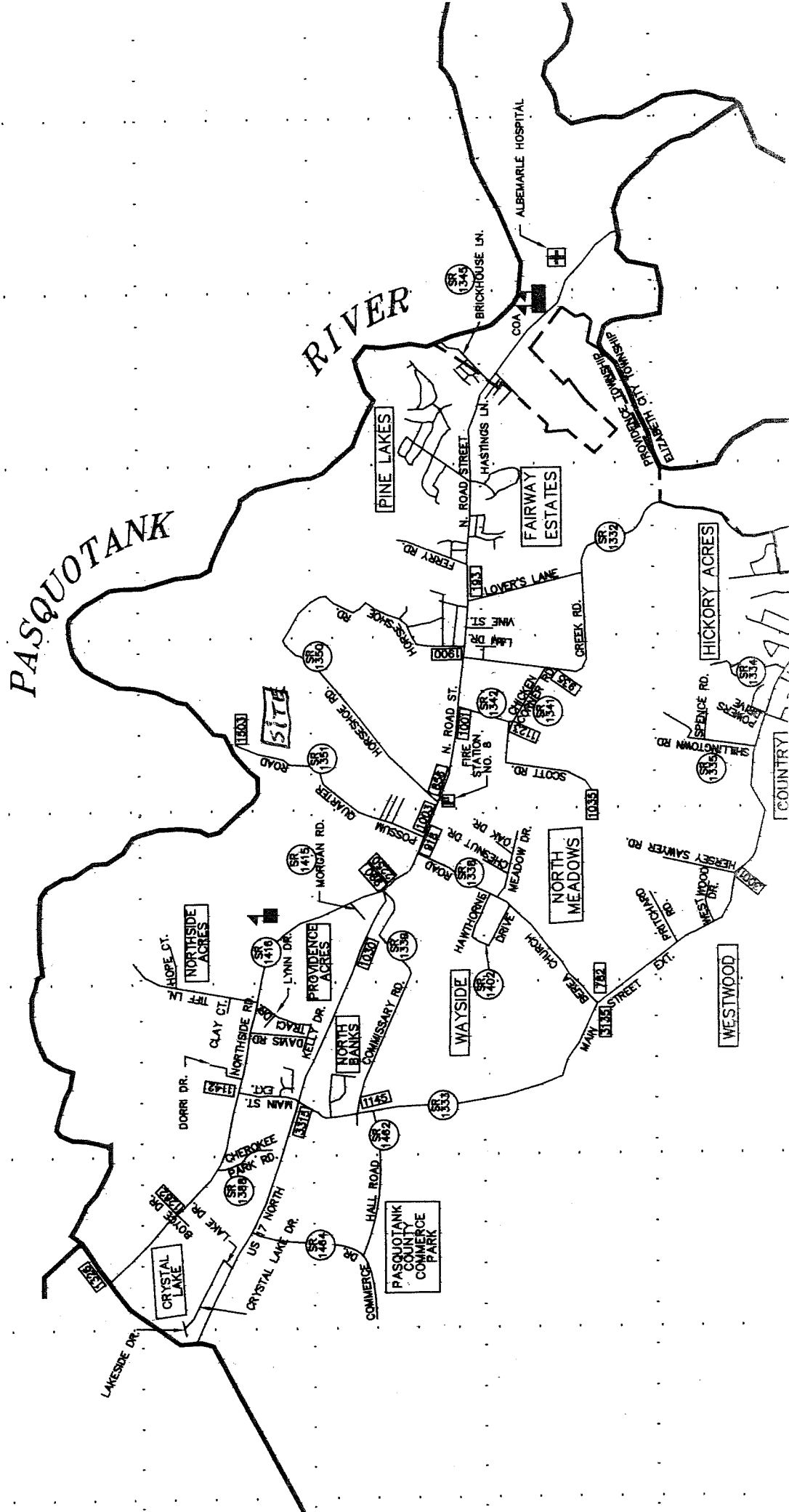
Page 2 of 3

Permit Conditions:

1. This permit shall become void if the soils fail to adequately assimilate the septage and shall be rescinded unless the site is maintained and operated in a manner which will protect the assigned water quality standards of both surface and ground waters.
2. This site shall be operated and maintained in accordance with the nutrient management plan submitted by Eddie Brinson and approved by the Division of Waste Management. The 18-acre site shall be divided into three, 6-acre fields known as Field A, Field B, and Field C. Only Field A which has been established in fescue will be utilized for the land application of septage. Fields B and C will be inactive. Crops can be grown on Fields B and C however; no septage can be applied to Fields B and C until they are approved by the Division. No food crops for human consumption can be planted within 50 feet of the active field or fields. The fescue will be cut and removed whenever it reaches approximately 12 inches in height. The harvested material cannot be used for animal consumption and must be disposed of properly. All discharges shall be at locations on the site consistent with the crop rotation in the approved plan.
3. This site shall be operated and maintained in accordance with the erosion and runoff control plan submitted by Eddie Brinson in such a manner as to prevent the migration of wastes off of the designated waste receiving site. A 50-foot buffer where no septage shall be applied shall be planted to the same crop growing in the permitted area shall be maintained around the perimeter of the site. Any site improvements noted in the plan must be installed within 30 days of plan approval. The installation of groundwater monitoring wells shall be required as deemed necessary by the Division.
4. The issuance of this permit does not preclude the Permittee from complying with any and all statutes, rules, regulations, or ordinances that may be imposed by other local, state, and federal government agencies which have jurisdiction. It is the responsibility of the Permittee to be in compliance with the Federal Regulations listed in the Code of Federal Regulations, 40 CFR Part 503.
5. This permit may be modified or reissued at any time to incorporate any conditions, limitations and/or monitoring requirements the Division deems necessary to adequately protect the environment and public health.
6. **This site is only permitted for the land application of domestic septage, grease trap pumpings, and portable toilet waste.** Domestic septage pH shall be raised to 12 or higher by alkali addition and, without the addition of additional alkali, shall remain at 12 or higher for 30 minutes prior to land application. Grease septage or grease septage mixed with domestic septage shall be raised to pH 12 or higher by alkali addition and, without the addition of additional alkali, shall remain at 12 or higher for 2 hours prior to land application.
7. **This site contains approximately 18 acres that are available for septage disposal. In accordance with the submitted nutrient management plan, only Field A with a permitted area of 6 acres shall be considered active.** The maximum annual application rate shall be 50,000 gallons per acre per year, for a total, maximum annual application of 300,000 gallons. Upon the opening of inactive Fields B and C, the total, maximum annual application amount for this site may be increased. This application rate assumes equal septage distribution, on an annual basis, over the entire 6 acre field as detailed in the nutrient management plan. Application amounts to the field shall not exceed the maximum annual application rate or the monthly rates as listed in the approved nutrient management plan.
8. An approved above ground septage detention system with a minimum design capacity of 6,000 gallons shall be available prior to operation of this site unless an approved wastewater treatment plant is available for use during periods of adverse weather. The storage capacity may be adjusted if it is demonstrated during the operation of the site that this volume of storage is inappropriate.

BRINSON + MILLER SLAS 70-01

13 14 15 16 17 18 19 20 21



SLAS-70-01





North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

May 25, 2012

Mr. Eddie Brinson
Brinson & Miller, Inc.
1731 N Road Street
Elizabeth City, NC 27909

**RE: SLAS-70-01 Permit Renewal
Brinson & Miller, Inc.
SR 1351 in Pasquotank County**

Dear Mr. Brinson:

The NC Division of Waste Management has reviewed your application for renewal of septage land application site permit, **SLAS-70-01**, in Pasquotank County. Your application has been approved in accordance with NC Septage Management Rules and your permit, **SLAS-70-01**, is enclosed. Please read all permit conditions carefully. The nutrient management and soil erosion and runoff control plans you submitted have been incorporated into your permit. In particular, pay close attention to **Permit Conditions 2, 6, 7, 10, 11, 12, 15, and 20**. The following is a summation of those Conditions.

- **Condition 2.** This condition lists the acres of the fields and incorporates crop management details listed in the submitted nutrient management plan.
- **Condition 6.** States that this site is only permitted to receive domestic septage, grease trap pumpings, and portable toilet waste. Disposal of any other type of waste at this site is prohibited.
- **Condition 7.** States that there are approximately 18 acres available at this site for the land application of septage. However, only Field A with 6 acres is considered active. **The maximum annual application rate for this site is 50,000 gallons per acre per year. Since septage is only being applied to Field A, the total maximum annual application amount is 300,000 gallons for this site.** These rates along with the monthly rates listed in the nutrient management plan are not to be exceeded.
- **Condition 10.** Septage shall only be applied when soil and weather conditions are favorable for application.
- **Condition 11.** Soil conditions must be monitored such that any septage application will not result in ruts greater than three inches in the soil surface.

CONTINUE ON BACK

- **Condition 12.** Any discharge, including aerial drift, of septage outside of the permitted boundaries is prohibited.
- **Condition 15.** ~~This permit is set to expire on April 23, 2017.~~ Ninety (90) days prior to the expiration of your permit, you must submit an application for permit renewal along with your septage land application logs for the entire time your current permit was valid.
- **Condition 20.** Fields B and C are considered inactive until further notice. The fields must meet the requirements of the NC Septage Management Rules prior to use. The Division must grant approval prior to any septage applications to those fields.

Again, please pay close attention to all of the conditions within the enclosed permit. Remember that violations to the NC Septage Management Rules or this permit could subject you to administrative penalties of up to \$15,000 per violation per day. If you have any questions concerning your permits or septage in general, please do not hesitate to contact me at (919) 707-8283. When communicating to the Division about this permit, please refer to it as "**SLAS-70-01**"

Sincerely,



Chester R. Cobb, Soil Scientist
Composting & Land Application Branch

Enclosures

cc: Central Office
Edward Cherry, Landowner
Pasquotank County Health Department

S:\Solid_Waste\cla\septage\slasper\70-Pasqu\Brinson\7001cl12p.docx

APPLICATION FOR A PERMIT TO OPERATE A SEPTAGE LAND APPLICATION SITE

North Carolina Department of Environment and Natural Resources
Division of Waste Management – Solid Waste Section
401 Oberlin Rd., Ste. 150, Raleigh, N.C. 27605



I. Site and Operator Information

1. Applicant BRINSON & MILLER, INC
Address 1731 N. ROAD STREET
ELIZABETH CITY, N.C. 27909
Phone 252-335-7774
2. Contact person for site operation (if different from applicant): EDDIE BRINSON
Title or position PRESIDENT Phone 252-335-7774
Address SAME

3. Landowner EDWARD CHERRY
Address 1813 N. ROAD STREET
ELIZABETH CITY, N.C. 27909

4. Site Location: County PASQUOTANK State Road Number 1351
Directions to site: TURN OFF OF US 17 NORTH ONTO PASSUM QUARTER ROAD SITE IS AT END OF ROAD ON THE RIGHT

5. Indicate whether request is: new _____ renewal ☒ modification _____

For a permit renewal or modification, provide the following information:

Existing site permit number: SLAS-70-01 permit expiration date: MAY 31, 2011

6. Number of acres meeting the requirements of the N.C. Septage Management Rules: 18
acres.

7. Substances other than septage or grease trap pumpings previously disposed of on the site:
(a) None ☒, or (b) Attach a list indicating other substances, the amounts discharged, and the dates of discharge.

8. Attach written, notarized landowner authorization to operate a septage disposal site signed by the landowner (if the permit applicant does not own the property). **If a corporation owns the land use a corporate landowner authorization form. If limited liability company owns the land, use a limited liability company landowner authorization form.**

9. Attach site evaluation report, including aerial photograph and soil analysis with metals results, unless the Division prepared the report.

10. Attach a vicinity map (county road map showing site location).

(over)

II. Site Management Information:

The following information shall be included with the application form:

1. Nutrient Management Plan
2. Soil Erosion and Runoff Control Plan
3. Alternative plan for disposal (detention facility permit number or wastewater treatment plant authorization): SDTF-70-01
4. Types of septage proposed to be discharged at the site (check all that apply):
 - (a) Domestic septage pumped from septic tanks ✓
 - (b) Grease trap pumpings ✓
 - (c) Portable toilet waste ✓
 - (d) Commercial / Industrial septage _____
5. Proposed treatment method of each type of septage to be land applied (use additional paper to explain if necessary): LIME STABILIZATION TO 12 30 MIN. FOR DOMESTIC SEWAGE; 2 HRS FOR GREASE
6. Proposed method of applying septage to land, including septage distribution plan if required * (use additional paper to explain if necessary): DISCHARGE FROM MOVING TRUCK UNDER PRESSURE WITH THE AID OF A SPREADER BAR
7. Demonstration from the appropriate state or federal government agency that the land application site complies with the Endangered Species Law ** or if any part of the site specified is not agricultural land (use additional paper to explain if necessary): NOTE DOES NOT APPLY THIS IS ALL AGRICULTURAL LAND

III. Certification

I hereby certify that:

1. The information provided on this application is true, complete, and correct to the best of my knowledge.
2. I have read and understand the N.C. Septage Management Rules, and
3. I am aware of the potential consequences, including penalties and permit revocation, for failing to follow all applicable rules and the conditions of a Septage Land Application Site permit.

Eddie Brinson

Signature***

EDDIE BRINSON

Print name

MAY 24, 2011

Date

PRESIDENT

Title

Note: This application will not be reviewed until all parts of the application are complete.

* Refer to Section .0821(e) of the N.C. Septage Management Rules.

** Refer to Section .0821(g) of the N.C. Septage Management Rules.

***Signature of company official required.

Landowner's Authorization to Operate a Septage Land Application Site

North Carolina Department of Environment and Natural Resources
Division of Waste Management - Solid Waste Section
401 Oberlin Rd, Ste. 150, Raleigh, N.C. 27605



I, EDWARD CHERRY (name of site owner) hereby certify that I am the owner of
40+ acres of land located SR 1351
and identified by P140-64 (book and page of recorded deed
or tax map parcel) and that I agree to allow EDDIE BRINSON (name of site
operator) to use said land for septage land application for a period of 10 YEARS (length
of time), beginning MAY 23, 2011 (month, day and year) and that I have read the
North Carolina Septage Management Rules *, and I understand and agree to maintain the restrictions on
land use after septage land application ends **. I further understand that no septage may be land applied
until the Division of Waste Management has issued a permit for a septage land application site. The above
described property is owned solely by me or jointly with NONE
(names of all co-owners, or state none).

Signature of landowner Edward Cherry Date 5/24/11
Signature of landowner _____ Date _____

Sworn to and subscribed before me this 24 day of May, 20 11.

Lesley S. Wise
(Notary Public)

My Commission expires: April 14, 2016

* 15A N.C. Admin. Code 13B Section .0800

** As required by Rule .0826



**NUTRIENT MANAGEMENT PLAN FOR
SEPTAGE APPLICATIONS TO TALL FESCUE**

**Brinson and Miller, Inc.
1731 North Road Street
Elizabeth City, NC 27909
March 1, 2012**



A. General Information:

1. Periodic sampling (at least one/year) of the septage will be conducted for waste analysis.
2. Field A, B, and C each contain 6 acres. The total permitted area is 18 acres. The attached copy of the aerial photograph for the site shows field boundaries and identifications.
3. The dominant soil series on the site is Bertie fine sandy loam.
4. Septage will not be applied where the site is untrafficable (untrafficable is defined as soil that will allow a loaded truck to leave a depression in sod greater than 3 inches in depth).
5. All nitrogen recommendations for forages will be 75% of the realistic yield expectation nitrogen rate should the forage be grazed.
6. Septage storage shall be provided to account for the average volume of septage pumped per week, or an alternative plan, such as disposal at a waste treatment plant, should be in place.

B. Crops to be grown and approximate planting times:

- 1a. The 18 acres of permitted land has been divided into three sections known as A, B, and C consisting of six acres each. Section A is the only section that will be used for septage applications at this time. Although Sections B and C are part of the permitted area, they will be inactive with regards to application of biosolids and soybeans and cotton will be planted in a rotation until their status changes (i.e. made active following required measures). Sections B and C will remain a part of the permitted area, but will not be included in the permitted acreage for the total gallons.
- 1b. Field A, including buffer zones, was seeded in tall fescue at a rate of 10-15 lb/acre drilled from August 25 to September 15 of 2006 in order to establish permanent stand. To promote stand establishment the following steps were taken the first year (weed control, reduced number of harvests, reduced vehicular traffic, etc.).

Areas with less than 70% groundcover by fescue will be reseeded with fescue at a rate of 15-lbs/acre broadcast in August

C. Nitrogen needs for crops grown:

RYE = Realistic Yield Expectations

N App. Rate = Suggested N application rate based on RYE for soil type.

Crop (hay)	RYE	N App. Rate	lbs. N/acre
Tall fescue	4.0 tons/acre x	45 lbs N/dry ton	= 180

D. Relative application rates for Fields A:

<u>Month</u>	<u>Field</u>
	<u>A</u>
January	Low
February	Medium
March	High
April	High
May	Medium
June	Low
July	Low
August	Low
September	Medium
October	Medium
November	Medium
December	Low

None = 0 gallons; Low = 5,000 gallons

Medium = 10,000 gallons; High = 15,000 gallons

NOTE: Cumulative application rate is not to exceed the permitted application rate.

Annual application rate is not to exceed 50,000 gallons per acre.

E. Application Method

The preceding information is based on septage being evenly applied over the entire permitted site by a septage hauler truck with a splash bar..

F. Additional Fertility Requirements

Phosphorus and potassium will be added in accordance with the soil test results for the crops grown. NOTE: The phosphorus requirement can be reduced by taking into consideration the phosphorus from the septage analysis, if an analysis is available.

Approximately 200 lbs/acre of 30-0-0 fertilizer will need to be added to the land application area in September to maintain nitrogen fertility levels.

The buffer areas will be fertilized with 600 lbs/acre of 30-0-0 fertilizer to maintain production.

G. Harvest of the crops and their use:

1. The fescue on Section A will be cut and removed whenever it reaches approximately 12 inches in height or just before seedhead emergence. This will usually take place in late May and again in September or October. At least two fescue harvests will be made each year. The harvested hay will be removed from the site, but will not be used for animal consumption.

<u>Month</u>	<u>Section A</u>
January	Apply
February	Apply
March	Apply
April	Apply
May	Apply
June	Cut and removed
July	Apply
August	Apply
September	Apply
October	Cut and removed
November	Apply
December	Apply

SOIL EROSION AND RUNOFF CONTROL PLAN

Given that slopes on this site do not exceed five percent, a 50-foot buffer, planted in fescue, should suffice to prevent septage waste from migrating off of the fields. (More severe site conditions could require that soil erosion structures be installed before septage can be applied).

Submitted
By: Eddie Brunson Date: March 8, 2012
Site Operator

Plan Prepared
By: Wm E. Wood Date: 3-8-2012

Address: PO Box 1608
Elizabeth City, NC 27906-1608
Phone: 252-338-3954



Septage Land Application Log Cover Sheet

Site Operator: EDDIE BRINSON
SLAS Permit #: SLAS-70-01
Site Location: 36.3597° N LATITUDE + -76.2556° W LONGITUDE
(street address for the site or latitude and longitude)
Number of acres permitted: 18
Permitted application rate: 50,000
(gallons septage per acre per year)
Crop(s): FESCUE
Crop nitrogen requirement(s): 135
(pounds nitrogen per acre)

CERTIFICATION:

"I certify, under penalty of law, that the pathogen requirements in (insert either 503.32 (c)(1) or 503.32 (c)(2)) and the vector attraction reduction requirements in (insert 503.33 (b)(9), 503.33 (b)(10) or 503.33 (b)(12)) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the pathogen requirements and vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

Eddie Brinson
(signature)

May 24, 2011
(date)